THE HON'BLE SRI JUSTICE C.V. RAMULU

Monday, 10th day of July,2006

W.P.No.17831 of 1998

Between :

Kancharla Venkataiah ... Petitioner

and

District Collector,
Nellore, Nellore district & another ... Respondents

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W.P.No.17831 of 1998

ORAL ORDER:

Heard both sides.

The grievance of the petitioners is that the 2nd respondent and his subordinates are interfering with their peaceful possession and enjoyment of their lands of an extent of Ac.8.23 cts covered by Sy.No.350/1 and 2, 397/2 to 6, 398/1 to 4 and 399/1 to 7; Ac.4.85 cents in S.Nos.350/2, 397/2 to 6, 398/1 and 2, 399/2, 396/2 and 10 and 400/5 and Ac.1.02 cts covered by S.No.397/1 of Mopur village, Dakkili Mandal, Nellore district, without following the due process of law.

A detailed counter affidavit has been filed stating that a canal was proposed through the lands of the said village and in fact, land acquisition proceedings were initiated as early as in 1998; therefore, the apprehension of the petitioner is baseless.

In the facts and circumstances of the case, there shall be a direction to the respondents not to interfere with the lands of the petitioners, without due recourse to law i.e. by initiating the proceedings under the Land Acquisition Act,1894, if not already initiated and still the lands of the petitioners are required.

With the above direction, the Writ Petition is disposed of. No order as to costs.

10-7-2006

prk